ℂ

# UNITED STATES PATENT AND TRADEMARK OFFICE

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|---|---|---|---|
| 09/944,534 | 08/31/2001 | Blake MingQi Dong | 47013/PAN/S850 | 3296 |

| 23363 | 7590 | 09/27/2005 |
|---|---|---|

CHRISTIE, PARKER & HALE, LLP
PO BOX 7068
PASADENA, CA 91109-7068

| EXAMINER |
|---|
| BASS, JON M |

| ART UNIT | PAPER NUMBER |
|---|---|
| 3639 | |

DATE MAILED: 09/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

|  | Application No. | Applicant(s) |
|---|---|---|
| **Office Action Summary** | 09/944,534 | DONG ET AL. |
|  | Examiner | Art Unit |
|  | Jon Bass | 3639 |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *31 August 2001*.

2a)☐ This action is **FINAL**.       2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-37* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-37* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

## DETAILED ACTION

1. This is in response to communication filed on August 31, 2001. Claims 1-37 are pending in this application for examination.

### *Information Disclosure Statement*

2. An initialed and dated copy of Applicant's IDS form 1449 is attached to the instant Office action.

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claims 1-37 are** rejected under 35 U.S.C. 102(e) as being anticipated by Hans-Peter Liechti et al (US Patent No: 5,715,164) hereinafter referenced as Liechti.

**As Per Claim 1:**

Liechti discloses a method for controlling the distribution of expiring free postage in a PC

postage system, comprising the steps of, [{fig 2}; postage meter]:

transferring a first portion of said expiring free postage to a postage meter, [{col.2, lines

17-20}; first postage value and lower bound postage]

storing a second portion of said expiring free postage in a free postage account, [{col.2,

lines 17-20}lower bound having second postage value]; and

resetting balance of said free postage account upon expiration of said free postage,

[{col.9, lines 26-28}; meter resetting].


**As Per Claim 2:**

Liechti discloses a method for further comprising the step of establishing minimum

threshold for said postage meter and transferring a block of postage from said free postage

account to said postage meter when balance of said postage meter is less than or equal to said

threshold, [{col.5, lines 22-25}; the value of the ascending register may not exceed the postage

amount limit at any time].


**As Per Claim 3:**

Liechti discloses a method for further comprising the step of decrementing said free

postage account in accordance with said block of transferred postage, [{col.5, lines 57-60}; the

meter may not process more mail items that the allowed piece limit].

**As Per Claim 4:**

Liechti discloses a method for further comprising the step of storing purchased postage in

an available postage account, [{col.2, lines 30-32}; temporarily store new upper and lower

bound values].


**As Per Claim 5:**

Liechti discloses a method for further comprising the step of utilizing said expiring free

postage before said purchased postage, [{col.2, lines 43-45}; meter user is billed for meter reset

amounts control credit extended].


**As Per Claim 6:**

Liechti discloses a method for further comprising the step of displaying sum of total

expiring free postage and purchased postage in an available postage field, [{fig 2, 215} display].


**As Per Claim 7:**

Liechti discloses a method for further comprising the step of decrementing said available

postage field in accordance with a print transaction, [{col.4, lines 14-15}; printing of desired

postage on mail items].

**As Per Claim 8:**

Liechti discloses a method for further comprising the step of utilizing said expiring free

postage before said purchased postage, [{col.5, lines 26-30}; connection of the meter to data

center may a new postage amount limit be established].


**As Per Claim 9:**

Liechti discloses a method for further comprising notifying user upon expiration of said

free postage, [{col.6, lines 41-43}; the user is then informed of the termination of

communication].


**As Per Claim 10:**

Liechti discloses a method for further comprising the step of storing purchased postage

and balance of the postage meter in a descending register, [{col.5, lines 12-15}; descending

register in a meter is used to track the amount].


**As Per Claim 11:**

Liechti discloses a method for further comprising the step of decrementing descending

register in accordance with a print transaction, [{col.5, line 14}; register used to keep track of an

amount of postage printed].

**As Per Claim 12:**

Liechti discloses a method for further comprising the steps of determining whether

postage meter balance is equal to or greater than a predetermined threshold, [{col.5, lines 24-

27}; the meter becomes inoperative as soon as the register is greater than or equal to postage

amount limit].

**As Per Claim 13:**

Liechti discloses a method for further comprising the step of transferring a block of free

postage from said free postage account to said postage meter in accordance with said threshold

determination, [{col.5, lines 31-32}; the postage amount limit is adjusted by data cent depeding

on the users creditworthiness].

**As Per Claim 14:**

Liechti discloses a method for further comprising the steps of determining validity of said

expiring free postage in response to receipt of a print postage request and wherein said free

postage account is reset in accordance with said validity determination, [{col.5, lines 42-44};

data center has full control over the amount of operation granted depending on the

trustworthiness of the meter user].

**As Per Claim 15:**

Liechti discloses a method for further comprising the step of determining whether balance of said free postage is equal to or greater than value of requested postage and transferring a block of free postage from said free postage account to said postage meter in accordance with the amount determination, [{col.5, lines 24-27}; the meter becomes inoperative as soon as the register is greater than or equal to postage amount limit].

**As Per Claim 16:**

Liechti discloses a method for further comprising the step of decrementing said free postage account in accordance with the transferred postage, [{col.5, lines 24-27}; the meter becomes inoperative as soon as the register is greater than or equal to postage amount limit].

**As Per Claim 17:**

Liechti discloses a method for further comprising the step of generating print image in accordance with said amount determination, [{col.4, lines 14-16}; effectuating the printing of desired postage on mail items].

**As Per Claim 18:**

Liechti discloses a method for further comprising the step of determining whether balance of total purchased postage and free postage is equal to or greater than value of requested postage, [{col.5, lines 24-27}; the meter becomes inoperative as soon as the register is greater than or equal to postage amount limit].

**As Per Claim 19:**

Liechti discloses a method for further comprising the step of 25 generating error message

in accordance with said amount determination, [{col.4, lines 30-32}; detection scheme for

detecting errors].

**As Per Claim 20:**

Liechti discloses a method for further comprising the step of generating print image in

accordance with said amount determination, [{col.4, lines 14-16}; effectuating the printing of

desired postage on mail items].

**As Per Claim 21:**

Liechti discloses a method for a method for controlling the distribution of expiring free postage

in a PC postage system, comprising the steps of, [{fig 2}, [postage meter]:

storing said expiring free postage in a free postage account, [{col.4, lines 34-37};

temporarily storing program data];

transferring a portion of said expiring free postage from said free postage account to a

postage meter in accordance with a print postage request, [{col.5, lines 30-35}; postage amounts

limit is adjusted by data center depending on credit]; and

resetting balance of said free postage account upon 10 expiration of said free postage,

[{col.9, lines 26-28}; meter setting].

**As Per Claim 22:**

Liechti discloses a method for further comprising the step of decrementing said free postage account in accordance with said transferred postage, [{col.5, lines 30-35}; postage amounts limit is adjusted by data center depending on credit].

**As Per Claim 23:**

Liechti discloses a method for further comprising the step of displaying sum of the expiring free postage and purchased postage in an available postage field, [{fig 2, 215} and {fig 6A, 623}, display and amount field].

**As Per Claim 24:**

Liechti discloses a method for further comprising the step of decrementing said available postage field in accordance with a print transaction, [{fig 6A}; amount field].

**As Per Claim 25:**

Liechti discloses a method for further comprising the step of 25 utilizing said expiring free postage before said purchased postage, [{col.6, lines 64-67}; packet includes control command field which indicates the meter change to its charge plan].

**As Per Claim 26:**

Liechti discloses a method for further comprising the steps of determining validity of said expiring free postage in response to receipt of said print postage request, wherein said free postage account is reset in accordance with said validity determination, [{col.5, lines 30-32}; postage amount limit is adjusted by data depending on users credit wothiness].

**As Per Claim 27:**

Liechti discloses a method for further comprising the step of determining whether balance of free postage account is equal to or greater than value of requested postage and wherein the step of transferring a portion of the expiring free postage to said postage meter comprises transferring a portion of the expiring free postage in accordance with the amount determination, [{col.5, lines 24-27}; the meter becomes inoperative as soon as the register is greater than or equal to postage amount limit and {col.2, lines 44-45}; controls the amount of credit extended to the meter user].

**As Per Claim 28:**

Liechti discloses a method for further comprising the step of decrementing said free postage account in accordance with the transferred postage, [{{col.2, lines 44-45}; controls the amount of credit extended to the meter user].

**As Per Claim 29:**

Liechti discloses a method for further comprising the step of generating print image in accordance with said amount determination, [{col.4, lines 14-16}; effectuating the printing of desired postage on mail items].

**As Per Claim 30:**

Liechti discloses a method for further comprising the step of determining whether balance of total purchased postage and free postage is equal to or greater than value of requested postage, [{col.5, lines 24-27}; the meter becomes inoperative as soon as the register is greater than or equal to postage amount limit].

**As Per Claim 31:**

Liechti discloses a method for further comprising the step of generating error message in accordance with said amount determination, [{col.4, lines31-33}; detection scheme for detecting errors].

**As Per Claim 32:**

Liechti discloses a method for further comprising the step of generating print image in accordance with said amount determination, [{col.4, lines 14-16}; effectuating the printing of desired postage on mail items].

**As Per Claim 33:**

Liechti discloses a method for a PC postage system, comprising, [{fig 2}; postage meter]:

means for storing expiring free postage in a free postage account, [{col.2, line lower bound and second bound value];

means for transferring a portion of said expiring free 5 postage from said free postage account to a postage meter in accordance with a print postage request, [{col.2, lines 17-20}; first postage value and lower bound postage]; and

means for resetting balance of said free postage account upon expiration of said free postage, [{col.9, lines 26-28}; meter resetting].

**As Per Claim 34:**

Liechti discloses a method further comprising means for decrementing said free postage account in accordance with said transferred postage, [{col.5, lines 57-60}; the meter may not process more mail items that the allowed piece limit].

**As Per Claim 35:**

Liechti discloses a method for The PC postage system further comprising 15 means for displaying sum of the expiring free postage and purchased postage in an available postage field, [{fig 2, 215} display].

**As Per Claim 36:**

Liechti discloses a method for PC postage system of further comprising means for decrementing said available postage field in accordance with a print transaction, [{col.4, lines 14-15}; printing of desired postage on mail items].

**As Per Claim 37:**

Liechti discloses a method for The PC postage system further comprising means for determining validity of said expiring free postage in response to receipt of said print postage request, wherein said free postage account is reset in accordance with said validity determination, [{col.5, lines 42-44}; data center has full control over the amount of operation granted depending on the trustworthiness of the meter user].

## *Conclusion*

Any concerns in regard to this communication, the examiner **Jon Bass** can be reached at **(571) 272-6905** between the hours of **9-6pm Monday through Friday.** The fax number for the establishment where the application is being process is **(571) 273-8300.**

If an attempt to reach the examiner is unsuccessful for any reason, the examiner's immediate supervisor, **John Hayes** can be reached at **(571) 272-6708.**
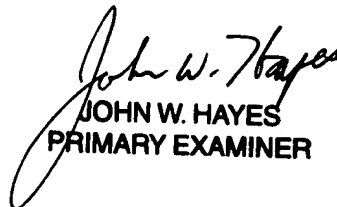
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished is available through Private PAIR only. For more information about the PAIR system, see http:// pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-271-9197 (toll free).

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

C/O Technology Center 3600

Washington, D.C. 20231

JOHN W. HAYES
PRIMARY EXAMINER